TRPA
APC
PACKETS

MARCH
1987
TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

NOTICE IS HEREBY GIVEN that the Advisory Planning Commission of the Tahoe Regional Planning Agency will conduct its regular meeting at 9:30 a.m. on Wednesday, March 11, 1987, in the TRPA office, 195 U.S. Highway 50, Zephyr Cove, Round Hill, Nevada. The agenda for said meeting is attached hereto and made a part of this notice.

March 2, 1987

By:  

William A. Morgan
Executive Director
Tahoe Regional Planning Agency
MEETING AGENDA

I CALL TO ORDER AND DETERMINATION OF QUORUM

II APPROVAL OF AGENDA

III PRESENTATIONS TO FORMER APC MEMBERS

IV DISPOSITION OF MINUTES

V RESOLUTIONS
  A. For Former APC Chairman Bill Combs

VI PLANNING MATTERS
  A. Consideration of Recommendation on Amendments to Plan Area Statements
  B. Discussion and Possible Recommendation, Adoption of Ski Incline Master Plan
  C. Discussion on the Code of Ordinances
  D. Status Report and Discussion of Long Range Planning Work Program
  E. Status Report on Regional Transportation Plan Update
  F. Waterborne Feasibility Study Status Report
  G. Distribution of Draft EIR/EIS, Placer County Criminal Justice Facility and Administrative Center

VII REPORTS
  A. Staff
  B. Legal Counsel
  C. Public Interest Comments
  D. APC Members

VIII CORRESPONDENCE

IX PENDING MATTERS

X ADJOURNMENT
TAHOE REGIONAL PLANNING AGENCY

ADVISORY PLANNING COMMISSION
RESOLUTION
FOR
WILLIAM COMBS

WHEREAS William Combs, hereinafter referred to as "Bill," has, since March of 1980, served as Placer County's representative to the Advisory Planning Commission ("APC") of the Tahoe Regional Planning Agency; and

WHEREAS Bill has since that time enthusiastically and responsibly represented the citizens of Placer County and won the respect of all APC members and TRPA staff; and

WHEREAS, recognizing Bill's leadership qualities and his ability to stay calm in all kinds of situations, the APC members elected him as their chairman for a two-year term commencing January 9, 1985; and

WHEREAS Bill has for two years presided over APC discussions, arguments, agreements, decisions, and debates and has done so with dignity and with a sense of humor, frequently drawing on his extensive planning background and knowledge; he has been a key factor in the formulation of recommendations for the Governing Board's consideration; and

WHEREAS Bill has served above and beyond the call of duty as the APC's representative on the Litigation Committee and, later, the Consensus Workshop Committee; both committees were charged with identifying and helping to resolve the very complex issues raised in the Regional Plan litigation;

NOW, THEREFORE, BE IT RESOLVED that the APC hereby expresses its appreciation and thanks to Bill for his valuable contribution as chairman of the APC and looks forward to his continued participation in planning for the Lake Tahoe Basin.

PASSED and ADOPTED by the Advisory Planning Commission on March 11, 1987.

ALICE BECKER, Chairman
Advisory Planning Commission

AGENDA ITEM V A.
MEMORANDUM

March 2, 1987

To: Advisory Planning Commission

From: Staff

Subject: Amendments to 1-7-87 Draft Plan Area Statements

In February the APC reviewed a number of proposed amendments to the Draft Plan Area Statements, which, to be implemented, will require a trailing plan amendment. These amendments were included in an eleven page list dated February 2, 1987, and in a letter prepared by Gordon DePaoli for the Park Cattle Company and the Edgewood Water Company, dated January 28, 1987. The attached list of proposed Plan Area Statement changes includes those which were not resolved at the February APC meeting and the changes in PAs 070A, 080 and 089A as requested in Gordon DePaoli's letter (numbers 24-43).

There is an indication following each proposed change as to whether staff agrees or disagrees. Staff will be prepared to discuss the staff position with respect to each proposed change at the March APC meeting.

A copy of Gordon DePaoli's letter is attached for informational purposes.
PLAN AREA STATEMENT TRAILING AMENDMENTS
PROPOSED PLAN AREA STATEMENT CHANGES

Comment
Requested Minor Substantive Change

1. PAS 006, Page 2: Delete nursery as a special use and modify definition of tree farm in Chapter 18 to include establishments which grow native or approved plant species. (Agree.)

Requested Minor Substantive Change

2. PAS 055:

   1. Special Policies, item #8, we ask that the word "only" be eliminated from the statement. (Disagree.)

   2. Under the section entitled Permissible Uses - Residential, secondary residences and single family dwelling should be allowed (A) rather than special uses (S). (Disagree.)

   3. Under section entitled Nearshore and Foreshore of the Shorezone Tolerance Districts 1, 3, and 5, Accessory Uses - fences should be allowed (A). This is in reference to the impacts of the subject property by numbers of trespassers from USFS and State of Nevada properties. (Disagree.)

Requested Substantive Change

3. PAS 058, Page 2: Add Policy #6 as follows:

   6. New or additional commercial development shall be limited to parcels with commercial development on the effective date of this Plan. (Agree.)

Requested Substantive Changes

4. PAS 066:

   1. Under the section entitled Permissible Uses - Public Service, we request that "kindergarten through secondary" be deleted after schools, and that schools be an allowed use (A). (Disagree.)

   2. Under section entitled Nearshore and Foreshore of the Shorezone Tolerance Districts 1, 7, and 8, Accessory Uses - fences should be allowed (A). This is in reference to the impacts on the subject property by numbers of trespassers from USFS properties. (Disagree.)

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Requested Substantive Change

5. PAS 070A, Page 2: Delete nursery. Page 1: new Policy #4 as follows:

4. New or additional commercial development shall be limited to parcels with commercial development on the effective date of this Plan. (Agree.)

Requested Substantive Change

6. PAS 075, Page 1: Delete vehicle storage and parking. (Disagree.)

Requested Minor Substantive Change

7. PAS 084, Page 1: Policy #2 to read as follows:

2. Commercial development shall be limited to parcels committed to such development (Special Area #1). New uses or change in use shall be limited to neighborhood serving uses which reduce vehicle miles traveled. (Agree.)

Page 2: Delete health care services and change all other commercial uses to special uses. (Agree.)

Requested Substantive Change

8. PAS 085, Page 2: Delete all commercial uses except eating and drinking places in Special Area #1. (Agree.)

Requested Minor Substantive Change

9. PAS 087, Page 3: Delete secondary storage. (Disagree.)

Requested Substantive Change

10. PAS 092, Page 2: Add Policy #5 as follows:

5. Commercial development shall be limited to parcels whose use was commercial at the effective date of the plan. Additional development shall be limited to areas in approved redevelopment plans. (Agree.)

Requested Substantive Change

11. PAS 109, Page 2: Delete commercial uses. (Agree.)

Requested Substantive Change

12. PAS 111, Page 3: In Special Area #1 delete amusements and recreation services and general merchandise stores. Add nursery (S). (Agree.)

Requested Substantive Change

13. PAS 112, Page 3: In Special Area #1 delete eating and drinking places. Delete last sentence in Policy #1. (Agree.)
14. PAS 114, Page 1: Add new Policy #2 as follows:

2. Special Area #1 is a transitional area of mixed uses and should be limited to uses compatible with scenic restoration, the intensity of Highway 50/89 and the background residential areas. (Agree.)

15. PAS 118, Page 2: Delete nursery, add tree farms (S). (Agree.)

16. PAS 119, Page 3: Delete nursery. (Agree.)

17. PAS 123, Page 2: Delete nursery. (Agree.)

18. PAS 127, Page 1: Delete transfer of existing development designation. (Disagree.)

19. PAS 145, Page 2: Add Special Policy #7 as follows:

7. Additional commercial development shall be limited to parcels containing commercial uses on the effective date of the Plan. (Agree.)

20. PAS 150, Page 2: Delete outdoor retail sales and service stations. Add new Policy #6 as follows:

6. Additional commercial development shall be limited to parcels containing commercial uses on the effective date of the Plan. (Agree.)

21. PAS 157, Page 2: Delete outdoor retail sales and add Policy #9 as follows:

9. Any new or additional commercial uses shall be permitted only pursuant to an adopted Community Plan. (Agree.)

22. PASs 015, 068, and 070B: Add pipelines and power transmission (S) to public service. (Agree.)

23. PASs 003, 006, 024B, and 053: Add transmission and receiving facilities (S) to public service. (Agree.)

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Requested Substantive Change

24. PAS 080: Park's 246 acres does not belong in PAS 080, but parts of it should be included in adjacent Plan Areas 089A - Nevada South Stateline Resort Area, 076 - Kingsbury Commercial and 078 - Middle Kingsbury Residential. (Disagree.)

Request Substantive Change

25. PAS 080: Special Designations should be provided to assist in the achievement of environmental improvements. (Disagree.)

Request Substantive Change

26. PAS 080: Instead of Special Policy #3 indicating that the lower portions of PAS 080 should be considered in the Community Plan for Stateline and Kingsbury, Park's property should be included in the applicable Plan Areas. (Disagree.)

Request Substantive Change

27. PAS 080: Objects to the designation of "scenic view corridor." (Disagree.)

Request Substantive Change

28. PAS 080: The uses listed as permissible are not reasonable economic uses. (Disagree.)

Request Minor Substantive Change

29. PAS 080: The Edgewood Water Company facilities should be an allowed rather than a special use. (Agree.)

Request Substantive Change

30. PAS 080: Although Special Policy #3 states that a developed campground should be considered, no additional capacity for such a use has been assigned. (True. This is a subject for the APC Committee.)

Request Substantive Change

31. PAS 080: Plan Area Statements should not mandate implementation of improvement programs that have not yet been adopted by the Governing Board. (Disagree.)

Request Minor Substantive Change

32. PAS 070A: Planning Consideration #2 should be expanded to recognize that for many years there have been numerous ponds on the Edgewood Golf Course which have acted as siltation basins and have assisted in the reduction of pollutants entering Lake Tahoe from Edgewood Creek. (Agree.)

Request Minor Substantive Change

33. PAS 070A: Objects to and requests the deletion of Special Policy #1 which suggests that the Edgewood Golf Course be redesigned. (Disagree.)

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Request Substantive Change

35. PAS 070A: Eating and drinking places should be an allowed use to make it clear that the bar and restaurant facilities at the golf course are allowed as a primary use. (Disagree.)

36. PAS 070A: Water intake lines should be an allowed accessory structure. (Agree.)

37. PAS 070A: Some additional outdoor recreation development should be allocated to this Plan Area due to its location adjacent to a major tourist center. (Disagree.)

38. PAS 089A: The Planning Statement should expressly state that structures housing gaming under a non-restrictive license are permitted and conforming use. (Agree.)

39. PAS 089A: Special Policy #1 should be revised so as not to expand the 1973 requirement that the Park Tahoe not exceed 50% total land coverage. The language requiring that the land be maintained as a "scenic view corridor" and a "historical site" should be removed. (Disagree.)

40. PAS 089A: Multiple family residential should be added as a permissible use. (Disagree.)

41. PAS 089A: Vehicle storage and parking should be an allowed, rather than special use. (Agree.)

42. PAS 089A: Sport assembly should be an added as a permitted use, or the definition of privately owned assembly and entertainment facilities should be expanded to include sport assembly. (Sport assembly already is listed as a special use.)

43. PAS 089A: Plan Area Statements should not mandate implementation of improvement programs that have not yet been adopted by Governing Board. (Disagree.)

3/2/87
BEFORE THE GOVERNING BOARD
OF
THE TAHOE REGIONAL PLANNING AGENCY

COMMENTS OF PARK CATTLE CO.
AND THE EDGWOOD WATER COMPANY

REGARDING

January 7, 1987 Revisions To Plan Area Statements
For The Lake Tahoe Basin

Presented By

Gordon H. DePaoli, Esq.
Woodburn, Wedge, Blakey and Jeppson
First Interstate Bank Building
One East First Street, Suite 1600
Reno, Nevada 89505

January 28, 1987

3/2/87

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I. INTRODUCTION.

Park Cattle Co. and the Edgewood Water Company (Park) have presented written and oral comments concerning the Plan Area Statements and the Code Of Ordinances for the Lake Tahoe Basin. The comments set forth herein are intended to supplement those comments with respect to the January 7, 1987 revisions to the Plan Area Statements.

II. PLAN AREA STATEMENTS FOR THE LAKE TAHOE BASIN.

A. Introduction.

It is virtually impossible to know the impact of a Plan Area Statement on a particular piece of property without also knowing the substance of the entire Code Of Ordinances. Although certain chapters of the Code may be more directly related to Plan Area Statements than others, those chapters do not reveal the full scope of regulation which will be imposed on a property. The Plan Area Statements should not be adopted before the Code Of Ordinances.

B. Park Cattle Co.'s Property And Plan Area Statements.

1. Plan Area 080-Kingsbury Drainage.

(a) Park's Property Does Not Belong In This Plan Area.

Park has approximately 246 acres of property in this Plan Area. One of its principal objections to this Plan Area Statement is that its property does not belong in it. For a number of specific reasons, Park suggested that its property should either be placed into three (3) new plan areas or that parts of it should be included in Plan Area 089A, the Nevada
South Stateline Resort Area, in Plan Area 076, the Kingsbury Commercial Plan Area, and in Plan Area 078, the Middle Kingsbury Residential Plan Area. See, November 24, 1986, Comments Of Park Cattle Co. And The Edgewood Water Company, pp. 10-11 (Park's November 24, 1986, Comments).

The January 7, 1987, revision to this Plan Area continues to include all of Park's property in Plan Area 080. Several reasons have been given for this result. First, it is said that a large portion of Park's 246 acres is required open space for the Caesars Hotel Casino. See, Response To Comments: TRPA Plan Area Statements, Park II: Specific Comments, No. 203 (TRPA Response To Comments). As a matter of fact, only 16 of Park's 246 acres are a part of the original Park Tahoe (now Caesars Tahoe) project.

Second, it is suggested that a large portion of the Park property is classified as high hazard or stream environment zone. Id. Park has consistently disagreed with that classification. If the existence within an area of lands classified as high hazard was the determining factor, substantially the entire region would receive a conservation designation. Other regulations adequately control the development of such lands. There is no need to classify all of Park's property as conservation simply to restrict development on high hazard lands. Finally, large areas of the Park property consist of land which is not designated high hazard or stream environment zone.

Another reason given for the conservation designation is that there are no substantial improvements,
i.e., streets, sewer lines, and water lines within the Park property. \textit{Id.} That reason ignores the fact that Park's property abuts Highway 50, is located on the Loop Road, and is adjacent to a small portion of Kingsbury Grade. It ignores the fact that sewer and electrical lines are nearby and in fact cross the property. It ignores the fact that the Edgewood Water Company provides water to the property and that its distribution lines and main storage facility are in fact located on it.

Another reason given for rejecting Park's proposal is that the Edgewood Creek Water Shed Association is already overcovered and targeted for coverage removal. \textit{Id.} Park's property in this Plan Area is not overcovered. \textit{Id.} Moreover, there are other Plan Areas within the Edgewood Creek Water Shed Association which have not received the conservation designation.

Finally, it is said that this is a low priority area for development. \textit{Id.} When one considers the location of this property and what is around it, one must ask why. This land is directly adjacent to one of the Region's major employment centers. It is adjacent to tourist and commercial centers and is bounded by major transportation corridors.

(b) Application Of The Plan Area Statement To Park's Property.

(i) Special Designations.

The only reason given for not providing any special designations for this Plan Area is its conservation designation. TRPA Response To Comments, No. 208. No other
reason is given why the special incentives available to land owners willing to take environmentally beneficial measures on their land and elsewhere are not also made available in this Plan Area. Certainly, the Plan Area Statement contemplates a need for environmental improvements within this Plan Area. Yet no incentives are provided to assist in the achievement of those improvements.

(ii) **Special Policies.**

A new Special Policy 3 has been added. It suggests that the lower portions of the Plan Area should be considered in the Community Plans for Stateline and Kingsbury. Park's property should be included in those Community Plans. The best way to insure that that occurs is to include Park's property in the applicable Plan Areas.

Park continues to object to the designation of its property as a "scenic view corridor." Contrary to the TRPA Response To Comments, that designation imposes a public burden on Park's property and will result in Park's not being allowed a reasonable economic use of it.

(iii) **Permissible Uses.**

The extent to which Park's property is impacted by this Plan continues to be highlighted by the permissible use designations for this Plan Area. Contrary to the TRPA Response To Comments, ranch uses, limited recreational uses, and timber uses are not reasonable economic uses of the property. The fact that Park's property in other Plan Areas has existing lawful uses, does not justify the inverse condemnation of this property. See, TRPA Response To Comments, No. 210.
As noted in its November 24, 1986, Comments, Park is concerned that the major storage and distribution facilities of the Edgewood Water Company located in this Plan Area be recognized as permitted uses. Chapter 18 of the Code Of Ordinances defines public utility centers to include "quasi-public" facilities. No definition of "quasi-public" is provided. This issue should be dealt with directly and clearly. See, Park's, November 24, 1986 Comments, pp. 13-14. Moreover, the Edgewood Water Company facilities should be an allowed rather than a special use.

(iv) Additional Developed Outdoor Recreation.

Special Policy No. 3 suggests a developed campground for recreational vehicle parking for this Plan Area. However, under the additional outdoor recreation section, no additional capacities are allowed for this Plan Area. Without an assignment of additional capacity, Special Policy No. 3 can not be implemented.

(v) Improvement Programs.

The Plan Area Statements should not mandate the implementation of programs which have not yet been written and/or reviewed by the Governing Board. The requirement for such a program may be added when and if such programs are adopted.


(a) Planning Considerations.

Planning Consideration 2 recognizes the recent construction of a siltation basin at the Edgewood Golf Course which will reduce pollution entering Lake Tahoe. It should
also recognize that for many years there have been numerous ponds on the Edgewood Golf Course which have acted as siltation basins and which have assisted in the reduction of pollutants entering Lake Tahoe from Edgewood Creek.

(b) **Special Policies.**

Park continues to object to and requests the deletion of Special Policy No. 1 which suggests that the Edgewood Golf Course should be redesigned. Special policies should be carefully considered. Under section 13.7.A of the proposed Code of Ordinances, they cannot be changed except by plan amendment.

(c) **Permissible Uses.**

Park's comments concerning the definition of public utility centers also apply to this Plan Area because major facilities of the Edgewood Water Company are located in it. It is not clear whether the bar and restaurant facilities at the Edgewood Golf Course will be primary uses, accessory uses or both. Since these uses exist and since this Plan Area consists almost entirely of Park property, Park suggests that eating and drinking places be an allowed, rather than a special use.

The accessory uses/structure provisions for both shorezone tolerance districts in this Plan Area should include water intake lines as being allowed. This is important to protect existing water diversions out of Tahoe and to encourage future diversions out of Tahoe rather than out of streams. See, Park's November 24, 1986, Comments, pp. 17-18.

A number of uses have been eliminated from the
shorezone provisions in this Plan Area. It appears that this may be due to the provisions of section 51.2.D of the Code which deals with "dispersed water oriented outdoor recreational uses." However, it is not clear whether that generic use should be included in the Plan Area Statement. This should be clarified.

(d) **Additional Developed Outdoor Recreation.**

This Plan Area does not allow for any additional recreation development. Some additional outdoor recreation development should be allocated to this Plan Area. Although golf course expansions do not require PAOT's, this Plan Area, which is adjacent to a major tourist center, is ideal for the location of other additional developed outdoor recreation facilities.

(e) **Improvement Programs.**

Mandatory improvement programs should be deleted unless and until the programs are actually written and reviewed and approved by the Governing Board.

3. **Plan Area 089A - Nevada South Stateline Resort Area.**

(a) **Planning Statement.**

The Planning Statement should expressly state that structures housing gaming under a non-restricted license are permitted and conforming uses.

(b) **Special Policies.**

Park continues to object to Special Policy No. 1. There is no dispute that the property referred to in that Special Policy is a part of the project area for Caesars Tahoe. Park objects to the attempt to expand what was intended and
required in 1973 when this property was included as a part of the Park Tahoe project. The land in question was included as a part of the project area so that the land coverage for the Park Tahoe would not exceed fifty percent (50%) of the total land area of the project. Nothing in that 1973 designation required the land to be maintained "as a scenic view corridor" or as an historic sight. The Governing Board should not impose additional and new burdens on the property in question by reason of this Special Policy.

(c) Permissible Uses.

Multi-residential should be added as a residential use. Vehicle storage and parking should be an allowed, rather than special use in this Plan Area. Sport assembly should be added as a permitted use. In the alternative, the definition of privately owned assembly and entertainment facilities should be expanded to include the definition of sport assembly.

(d) Improvement Programs.

No improvement program should be mandated unless and until it is complete, reviewed by the public, and adopted by the Governing Board.
MEMORANDUM

March 2, 1987

To: Advisory Planning Commission

From: Staff

Subject: Plan Area Statement Changes Recommended by Forest Service, 2-4-87

On February 10, 1987 the Agency received the following recommendations from the Forest Service on changes to Plan Area Statements. Staff responses follow each recommendation.

1. PAS 047, Tunnel Creek: Add cross country ski courses as an allowed use. Most, if not all, areas classified as Conservation are open to and used for cross country skiing. Response: Agree.

2. PAS 100, Truckee Marsh: Add cross country ski courses as an allowed use. Response: Agree.

3. PAS 188, Twin Peaks: Add local post office as a special use. A neighborhood postal delivery center is planned for the area. Response: Agree.

4. PAS 126, Pope Beach: Add cross country ski course as an allowed use. Response: Agree.

5. PAS 127, Camp Richardson: Add local assembly and entertainment as a special use. Valhalla Estates house is currently being used for such purpose. Response: Agree.

6. PAS 129, Fallen Leaf North: Remove marinas as a special use. Boat launching facilities is a permissible use that will adequately provide for activities planned by the Forest Service. Response: Agree.

7. PAS 142, Echo Lake: Add employee housing, food and beverage retail sales, drinking and eating places, and general merchandise store as special uses to cover existing uses at Echo Chalet. Response: Agree. We recommend the following Special Policy be added, "Commercial uses shall be limited to those existing uses at Echo Chalet."

GG:cs
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8. PAS 143, Desolation: Add cross country skiing as an allowed use. Also, replace "Rural Recreation" with Recreation in the general list heading. Response: "Rural Recreation" should be replaced with "recreation" in the General List heading. It is not necessary to add cross country skiing as an allowed use since it is included under the definition of Dispersed Outdoor Recreation which is an allowed use throughout the Region.

9. PAS 144A, Fallen Leaf Forest Service Tracts: Add summer homes as a special use since they exist within the area. Add cross country skiing as an allowed use. Response: Agree. Summer homes were inadvertently omitted from the General List. Not necessary to add cross country skiing since it is included under the definition of Dispersed Outdoor Recreation.

10. PAS 144B, Lily/Angora Lakes: Add cross country skiing as an allowed use. Response: Not necessary, since cross country skiing is included under the definition of Dispersed Outdoor Recreation, which is an allowed use throughout the Region.


General Staff Comment: There doesn't appear to be a real distinction between the definition of Cross Country Skiing Courses and general cross country skiing included under the definition of Dispersed Outdoor Recreation. The definition of Cross Country Skiing Courses should be revised as follows: "Land or premises designated by the land owner to be used as a commercial operation for nordic skiing.

12. You may also want to recheck the proposed locations of all Neighborhood Postal Delivery Centers to determine if they have been provided for as a permissible use. Response: The proposed locations have been checked and have been provided for by making "Local Post Office" an allowed or special use in each case.

13. I have also reviewed the list of Staff Recommended Cleanup Changes in memo of 1/16/87. Though most of the proposed changes are acceptable to the Forest Service, the following are not:

a. Which recommends deletion on RV parks as a permissible use. The RV park at Camp Richardson is within the Plan Area Statement. Response: The 1/16/87 memo recommends deleting Recreational Vehicle Park from PAS 129, Fallen Leaf North, but not from 127, Camp Richardson. Recreational Vehicle Park is not listed as a permissible use in PAS 127 because staff felt the existing RV facility at Camp Richardson more closely fell under the definition of Developed Campground, which is listed as an allowed use.
b. Which recommends adding a special policy to Echo Lakes Plan Area restricting shorezone development to the existing marina facilities. There are many other shorezone developments such as piers at nearly every summer home on the lakes. These are important for access to the homes. Response: The intent of the policy is to restrict additional shorezone development to the existing marina facilities, so the proposed policy should be revised to include the word "additional" before the word "shorezone." Existing piers may be maintained and repaired under the provisions of Chapter 52. Piers are also listed as a special use.

c. Which recommends deletion of Power Generation as a permissible use. We agree that such a use could be detrimental to goals in the Plan, especially those related to maintaining instream flow. However, on the federal lands, laws of the country allow proponents of small hydroelectric projects a fair review of their proposals. Response: Power Generation has been removed as a permissible use in the Plan Areas identified so if one is proposed an amendment to the Regional Plan, including a public hearing, would be required. It is staff's opinion that such a project in the identified Plan Areas (004, 019, 080, 095, 101, 140, 141, 146, 150, 152 and 153) should require the highest level of public notice, which is the public hearing for a plan amendment. This is one activity that is authorized by federal law but which is likely to conflict with one of TRPA's environmental thresholds regarding instream flows.
MEMORANDUM

March 3, 1987

To: Advisory Planning Commission

From: Agency Staff

Subject: Discussion and Possible Recommendation, Adoption of Ski Incline Master Plan

At the February APC meeting, the APC recommended that the TRPA Board certify the adequacy of the EIS for the Ski Incline Master Plan. Subsequently, at the February Board meeting, the Board certified the EIS. At this time, the APC should begin to consider a recommendation on adoption of the Ski Incline Master Plan as a Regional Plan amendment.

Process of Adoption

TRPA ordinances in effect under the preliminary injunction do not include specific procedures for adoption of ski area master plans. Chapter 16 of the Draft Code of Ordinances sets forth such a procedure, but is not in effect at this time. Therefore, legal staff is working with the plaintiffs in the Regional Plan-related litigation to agree on a process which would allow prompt approval of the Ski Incline Master Plan.

TRPA staff recommends that approval of the Ski Incline Master Plan be scheduled for a public hearing before the APC and for possible Board approval in April. At the March APC meeting, the staff and the master plan proponents will seek direction, in the form of recommendations from the APC, on the resolution of the issue of SEZ encroachment, and any other issues the APC would like to discuss.

SEZ Encroachment

IVGID and the consulting team working on the Ski Incline Master Plan and EIS are evaluating the issue of ski trail encroachment on the SEZ, and investigating various alternatives which would lessen the SEZ impacts. Staff will make a brief presentation on this subject at the March APC meeting, and request feedback from the commissioners.

Please contact Dave Ziegler at (702) 588-3296 if you have any questions or comments on this agenda item.

DZ:mmi
3-2-87

Agenda Item VI.B.
MEMORANDUM

March 3, 1987

To: The Advisory Planning Commission
From: William A. Morgan, Executive Director

Subject: Code of Ordinances

At the February Governing Board meeting, staff presented 21 chapters of the code of ordinances for consideration. They were:

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>Special Provisions Governing Certain Projects, Uses and Activities</td>
</tr>
<tr>
<td>5</td>
<td>Environmental Documentation</td>
</tr>
<tr>
<td>13</td>
<td>Plan Area Statements and Plan Area Maps</td>
</tr>
<tr>
<td>16</td>
<td>Specific and Master Plans</td>
</tr>
<tr>
<td>18</td>
<td>Permissible Uses</td>
</tr>
<tr>
<td>20</td>
<td>Land Coverage Standards</td>
</tr>
<tr>
<td>21</td>
<td>Density of Use</td>
</tr>
<tr>
<td>22</td>
<td>Height Standards</td>
</tr>
<tr>
<td>23</td>
<td>Noise Limitations</td>
</tr>
<tr>
<td>25</td>
<td>Best Management Practice Requirements</td>
</tr>
<tr>
<td>30</td>
<td>Design Standards</td>
</tr>
<tr>
<td>36</td>
<td>Interim Single Family Review System</td>
</tr>
<tr>
<td>51</td>
<td>Permissible Uses and Accessory Structures in the Shorezone and Lakezone</td>
</tr>
<tr>
<td>62</td>
<td>Inspections and Construction Schedules</td>
</tr>
<tr>
<td>64</td>
<td>Standards for Grading</td>
</tr>
<tr>
<td>71</td>
<td>Tree Removal</td>
</tr>
<tr>
<td>73</td>
<td>Livestock Grazing</td>
</tr>
<tr>
<td>78</td>
<td>Wildlife Resources</td>
</tr>
<tr>
<td>79</td>
<td>Fish Resources</td>
</tr>
<tr>
<td>81</td>
<td>Water Pollution Control</td>
</tr>
<tr>
<td>82</td>
<td>Water Quality Mitigation</td>
</tr>
</tbody>
</table>

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Memo to the APC
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The Governing Board reviewed Chapters 3-23 and some minor changes were proposed. Staff will review with APC some of those changes. The 21 listed above will be considered for first reading at the March Governing Board meeting, along with all those remaining that are ready.

There will eventually be 66 chapters, of which 10 are not planned to be drafted for at least six months, because they are not necessary for us to commence with the implementation of the plan. They are:

<table>
<thead>
<tr>
<th>Chapters</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>Structures Housing Gaming</td>
</tr>
<tr>
<td>26</td>
<td>Outdoor Advertising Standards</td>
</tr>
<tr>
<td>28</td>
<td>Natural Hazards Standards</td>
</tr>
<tr>
<td>41</td>
<td>Allowable Subdivisions</td>
</tr>
<tr>
<td>42</td>
<td>Limitations</td>
</tr>
<tr>
<td>43</td>
<td>Protection of Purchasers</td>
</tr>
<tr>
<td>44</td>
<td>Subdivision Standards</td>
</tr>
<tr>
<td>92</td>
<td>Certification of Private Transportation Services</td>
</tr>
<tr>
<td>94</td>
<td>Scenic Highway Corridors</td>
</tr>
<tr>
<td>96</td>
<td>Road Closures</td>
</tr>
</tbody>
</table>

Of the remaining 35, six are shorezone ordinances which we intend to present as a package in March. There are still some unresolved issues surrounding the shorezone that we intend to clear up in the next couple of weeks. One big issue is whether any new piers can be approved pending a special fish habitat study, and, if so, where.

There are 14 chapters which are generally noncontroversial and fairly easy to polish up and should be ready in March. They are:

<table>
<thead>
<tr>
<th>Chapters</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>General</td>
</tr>
<tr>
<td>2</td>
<td>Definitions</td>
</tr>
<tr>
<td>8</td>
<td>Compliance</td>
</tr>
<tr>
<td>9</td>
<td>Nuisance</td>
</tr>
<tr>
<td>24</td>
<td>Driveway and Parking Standards</td>
</tr>
<tr>
<td>27</td>
<td>Basic Service Requirements</td>
</tr>
<tr>
<td>29</td>
<td>Historic Protection Standards</td>
</tr>
<tr>
<td>61</td>
<td>Special Information Report</td>
</tr>
<tr>
<td>65</td>
<td>Vegetation Protection During Construction</td>
</tr>
<tr>
<td>66</td>
<td>Objects of Antiquity</td>
</tr>
<tr>
<td>72</td>
<td>Prescribed Burning Programs</td>
</tr>
<tr>
<td>74</td>
<td>Remedial Vegetation Management</td>
</tr>
<tr>
<td>75</td>
<td>Vegetation Protection</td>
</tr>
<tr>
<td>77</td>
<td>Revegetation</td>
</tr>
</tbody>
</table>

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Memo to the APC  
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Page Three

Ten will be the subject of intensive reviews between now and the March meeting. They are:

<table>
<thead>
<tr>
<th>Chapters</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>When Permits are Required</td>
</tr>
<tr>
<td>6</td>
<td>Findings for TRPA Approval</td>
</tr>
<tr>
<td>14</td>
<td>Community Plans</td>
</tr>
<tr>
<td>32</td>
<td>Regional Plan and Threshold Review</td>
</tr>
<tr>
<td>33</td>
<td>Allocation of Development</td>
</tr>
<tr>
<td>34</td>
<td>Transfer of Development Rights</td>
</tr>
<tr>
<td>35</td>
<td>Multi-Unit Incentive Program</td>
</tr>
<tr>
<td>37</td>
<td>Individual Parcel Evaluation Program</td>
</tr>
<tr>
<td>91</td>
<td>Air Quality Control</td>
</tr>
<tr>
<td>93</td>
<td>Traffic Mitigation Program</td>
</tr>
</tbody>
</table>

It will be difficult to put all ten into final form for action in March. Our experience in thrashing out remaining issues with key interests indicates that some could slip into April. There seems to be no way to avoid that even though we, including the key interest people, are working nights and weekends.

There are five more that need to be added to the package of ordinances previously circulated so we can fully implement the ones listed above. They are:

<table>
<thead>
<tr>
<th>Chapters</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>7</td>
<td>Temporary Uses, Structures, and Events</td>
</tr>
<tr>
<td>12</td>
<td>Regional Plan Maps</td>
</tr>
<tr>
<td>15</td>
<td>Redevelopment</td>
</tr>
<tr>
<td>38</td>
<td>Tracking, Accounting and Banking</td>
</tr>
<tr>
<td>45</td>
<td>Mergers and Lot Line Adjustments</td>
</tr>
</tbody>
</table>

Chapter 38 is drafted but needs to be circulated for public comment before finalizing. Chapters 7, 12, and 15 are being drafted now.

My conclusion is that we won't have an ordinance package to implement the plan and therefore to arrange for a dismissal of the lawsuit until April. With cooperation, however, it is feasible to do so, and we are directing every possible effort to meeting that objective.

3/3/87  
AGENDA ITEM VI C.
MEMORANDUM

March 3, 1987

To: Advisory Planning Commission

From: Agency Staff

Subject: Status Report and Discussion of Long Range Planning Work Program

Since the TRPA Board has adopted the Regional Plan Goals and Policies, and since the Plan Area Statements and the priority chapters of the Code of Ordinances are nearing completion, it is appropriate to review the work program of the Long Range Planning Division and consider which elements of the work program require priority attention from the APC.

The following is a list of management objectives, established for the Long Range Planning Division in July 1986, which remain to be completed, along with the most-recent estimates of their completion dates:

A. Regional Plan Package


7. Complete BMP Handbook 5/87

8. Complete monitoring program 5/87

9. Complete CIP for water quality, SEZs and transportation 5/87

10. Complete 5-yr recreation plan and public services and facilities plan 6/87

11. Certify environmental documents related to Regional Plan (next tier) 6/87

12. Complete historic site review 6/87

3/3/87

DSZ:mmi

Agenda Item VI.D.
B. Coordinate Research Activities
   1. Complete instream flow study 6/87
   2. Initiate pier/fishery study 7/87

C. Provide Necessary Program Integration and Support
   1. Complete Regional Plan maps 4/87
   2. Manage TRPA parcel data base ongoing
   3. Produce publications ongoing

D. Carry Out Other Required Planning Duties
   1. Initiate 208 Plan Amendment Process 4/87
   4. Prepare Regional Transportation Plan Update for submission to Caltrans 6/87
   5. Issue Community Plan guidance package 5/87
   6. Help prepare specific plans various
      c. Airport Master Plan
      d. waterborne transit plan
      e. community plans
   7. Administer Transp. Devt. Act Programs various
   8. Carry out remedial erosion control efforts under Ord. 82-4 6/87
   9. Prepare for and conduct technical conference on air quality issues 6/87
   10. Prepare for and conduct technical conference on water quality issues 6/87
   11. Hire IPES field teams for summer '87 4/87 field season

At the March 11 APC meeting, the staff will provide a brief update of this information, including a statement of priority objectives for the next several months. Please contact Dave Ziegler at (702) 588-3296 if you have questions or comments on this agenda item.
MEMORANDUM

March 3, 1987

To: Advisory Planning Commission

From: Agency Staff

Subject: Status Report on Regional Transportation Plan Update

The Agency staff are presently completing the Regional Transportation Plan Update and accompanying EIS. A Notice of Preparation has been circulated requesting all comments to be received by 5:00 p.m. on Friday March 20, 1987. Tentatively, circulation of the two documents will begin by March 26, 1987. The document is presently in administrative draft form and may be available to the APC at the regularly scheduled meeting.

At the March 11 meeting, the staff will make a brief presentation on the RTP update, and answer questions from the commissioners. Please contact Jim Brennan at (702) 588-3296 if you have any questions or comments on this agenda item.

JB:cs
3/3/87
MEMORANDUM

March 3, 1987

To: APC

From: Staff

Subject: Waterborne Feasibility Study Status Report

The TRPA has received proposals from four consultants to prepare a Waterborne Transportation Feasibility Study. The Study will identify both opportunities and constraints to the implementation of a waterborne system connecting the north and south shore transit systems. The Study will also identify the economic feasibility of such a system.

The Study is being prepared in fulfillment of the TRPA's overall work program. The Study is being funded from a variety of Urban Mass Transit Administration, State, and TRPA sources. Approximately $20,000 has been set aside to fund the study.

The Study will inventory existing technology which could operate on Lake Tahoe and provide a transportation service, inventory existing shore-side facilities, and identify improvements to facilities required to support the system. Additionally, the Study will survey and determine the level of demand for a waterborne transportation system, identify environmental, legal, and technical constraints to implementation of the system, and determine costs and economic feasibility of the system.

Following is a tentative schedule:

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>March 6, 1987</td>
<td>Consultant selected</td>
</tr>
<tr>
<td>March 11, 1987</td>
<td>TRPA Advisory Planning Commission status report</td>
</tr>
<tr>
<td>March 13, 1987</td>
<td>Scope of work and contract agreed upon</td>
</tr>
<tr>
<td>April 8, 1987</td>
<td>TRPA APC status report</td>
</tr>
<tr>
<td>May 1, 1987</td>
<td>Draft study due</td>
</tr>
<tr>
<td>May 13, 1987</td>
<td>TRPA APC comments solicited</td>
</tr>
<tr>
<td>May 15, 1987</td>
<td>Comments due</td>
</tr>
<tr>
<td>May 29, 1987</td>
<td>Final study due</td>
</tr>
<tr>
<td>June 10, 1987</td>
<td>TRPA APC Meeting to conclude study</td>
</tr>
</tbody>
</table>

By the March APC meeting, TRPA staff will have selected a consultant to prepare the study. If there are any questions from the commissioners, contact Leif Anderson or Curtis Jordan at (702) 588-3296.

CJ:cs
3/3/87

Agenda Item VI.F.